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EXAMINER
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WINTER, JOHN M

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/006,198

Applicant(s)

LOWENSTEIN ET AL.

Examiner

John M Winter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1- 30 and 35-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1- 30 and 35-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

Claims 1- 30 and 35-41 remain pending.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Response to Arguments***

The Applicant's arguments filed on September 27, 2004 have been fully considered but are not persuasive.

The Applicant states that the claims of the present invention are directed towards a different purpose and are not obvious in view of the prior art, and that the prior art fail to teach the claimed invention, specifically that prior art does not disclose a facility for vendors to sell multimedia items efficiently on a server via the internet.

Examiner responds that as per *Ex parte Clapp*, 227 USPQ 972 (Bd Pat App & Int) "To support conclusion that claimed combination is directed to obvious subject matter, the references must either expressly or impliedly suggest claimed combination or the examiner must present a convincing line of reasoning as to why artisan would have found claimed invention to have been obvious in light of the references teachings." the Examiner states the reference deals with the generalized problem marketing and distribution multimedia goods and therefore would be obvious to a person of ordinary skill in the art.

The Applicant states that neither Alloul et al. nor Katz disclose metadata representing the content of the multimedia material being stored on a multimedia server in association vendor data or product data relating to the multimedia material.

The Examiner replies that Alloul et al. discloses this feature (Column 10, lines 41-57) local database is searched utilizing keywords. These keywords can be used to define a group of products according to "brand name or association of product characteristics." The Examiner concludes that this limitation of Alloul et al. satisfies the claimed limitation of "metadata representing the content of the multimedia material being stored on a multimedia server in association vendor data or product data relating to the multimedia material"  
See following rejection.

### ***Claim Rejections - 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-17, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz (US Patent No 6,055,513) in view of Alloul et al. (US Patent 6,032,130).

As per claim 1,

Katz ('513) discloses a multimedia transaction processor for facilitating the sale of multimedia material, said apparatus comprising

a transaction controller operable, in response to selection data representative of a selection of at least one of said possible multimedia content items from said buyer, to communicate to said vendor identified by said stored identification, data ordering said selected multimedia content items, and to complete a sales transaction for the selected multimedia material with the buyer.(Figure 6)

Katz ('513) does not explicitly disclose "a media server operable to store multimedia material from at least one vendor, meta data representing the content of the multimedia material and data identifying the vendor providing the multimedia material, said meta data and said identifying data being stored in association with said multimedia material, a communications processor connectable, via a communications link, to one or more data processing systems and operable to receive, via said communications link, from one of said data processing systems, data indicative of a request for multimedia content from a buyer, an access processor operable to retrieve from said server possible multimedia material content items corresponding to said requested multimedia content by generating meta data from said data requesting said multimedia content and comparing said generated meta data with the meta data stored in association with said multimedia material, and from the comparison retrieving said possible multimedia content items from said server, and to communicate to the buyer data processing system data representative of said possible multimedia content items" Alloul et al. ('130) discloses a media server operable to store multimedia material from at least one vendor, 5 meta data representing the content of the multimedia material and data identifying the vendor providing the multimedia material, said meta data and said identifying data being stored in association with said multimedia material,(Column 2, lines 47-60) a communications processor connectable, via a communications link, to one or more data processing systems and operable to receive, via said communications link, from one of said data processing systems, data indicative of a request for multimedia content from a buyer,(Figure 2) an access processor operable to retrieve from said server possible multimedia material content items corresponding to said requested multimedia content by generating meta data from said data requesting said multimedia content and comparing said generated meta data with the meta data stored in association with said multimedia material, and from the comparison retrieving said possible multimedia content items from said server, and to communicate to the buyer data processing system data representative of

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said possible multimedia content items, (Column 10, lines 41-57),(Column 5 lines 27-45; figure 3). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to allow the merchant to realize a profit from marketing multimedia materials.

As per claim 2,

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1,

Katz ('513) does not explicitly disclose meta data comprises a plurality of different types, each different type of said meta data describing a different aspect of said multimedia content. Alloul et al. ('130) discloses meta data comprises a plurality of different types, each different type of said meta data describing a different aspect of said multimedia content (Column 2, lines 47-60). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to market media to a larger consumer base.

As per claim 3,

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1

Official Notice is taken that "the multimedia material stored in said media server is arranged to include impairments" is common and well known in prior art in reference to digital media. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include impairments to the media to prevent unauthorized usage of the media, the Examiner notes that any system utilizing encryption meets the limitation of this claim.

As per claim 4,

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 3

Official Notice is taken that "impairments are produced by generating a reduced quality representation of the material, to the effect that an amount of data required to represent the multimedia material is substantially reduced" is common and well known in prior art in reference to digital media. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include impairments to the media that are of reduces quality in order to conserve bandwidth needed for transmission of the data, the Examiner notes that is commonly know as a thumbnail view, and is common to most systems that utilize JPEG or GIF graphical formats.

As per claim 5

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1,

wherein said selection data includes an indication of a selected part of said selected multimedia item, said communications processor being operable in combination with said transaction controller to complete said sales transaction by debiting an amount of money corresponding to said selected part of said media item, with respect to the total cost of said selected media item. (Figure 3)

As per claim 6

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1,

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wherein said server is arranged to store business rules data representative of the conditions for the sale of said selected multimedia material items, said access processor communicating said conditions of sale data to said buyer in response to one of said selection data and said requesting data.(Figure 7)

As per claim 7

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1, wherein said access processor is operable in response to said selection data to generate and to store data representing the number of times buyers-select said multimedia material items.(Column 23, lines 51-61)

As per claim 8

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 7, wherein said access processor is operable to determine the number of times multimedia content items owned by a particular vendor are selected by said buyers, and said communications processor is operable in combination with said access processor to communicate on request, data representative of said number of times said multimedia content items are selected, to said particular vendor providing said multimedia content.(Column 24, lines 13-29)

As per claim 9

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1, Katz ('513) does not explicitly disclose "access processor is operable to receive catalogue data representing a list of multimedia material items provided by a vendor divided into predetermined categories, said catalogue data being communicated on request to a buyer data processing system." Alloul et al. ('130) discloses "access processor is operable to receive catalogue data representing a list of multimedia material items provided by a vendor divided into predetermined categories, said catalogue data being communicated on request to a buyer data processing system." (Column 10, lines 41-52). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to expedite the consumers purchase.

As per claim 10

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1, Katz ('513) does not explicitly disclose "media server is arranged to store data representative of advertising material, and said access processor is operable to communicate said advertising data to said buyer data processing system in response to said request data" Alloul et al. ('130) discloses "media server is arranged to store data representative of advertising material, and said access processor is operable to communicate said advertising data to said buyer data processing system in response to said request data." (Column 4, lines 2-8). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to maximize the merchants profit by encouraging additional purchases.

As per claim 11

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Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1,

Katz ('513) does not explicitly disclose "request data comprises at least one data value and an indication of which of said types of meta data said data value corresponds, said access processor being operable to search said server for said possible multimedia content items by searching for values corresponding to said data value for said meta data type corresponding to said indication" Alloul et al. ('130) discloses "request data comprises at least one data value and an indication of which of said types of meta data said data value corresponds, said access processor being operable to search said server for said possible multimedia content items by searching for values corresponding to said data value for said meta data type corresponding to said indication" (Column 10, lines 41-57; Figure 4). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to expedite the consumers purchase.

As per claim 12

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 2,

Katz ('513) does not explicitly disclose "access processor is operable to generate at least one meta data value for at least one meta data type from said request data, and to retrieve said possible multimedia content items by searching said server for multimedia content items having meta data values corresponding to said at least one generated meta data value" Alloul et al. ('130) discloses "access processor is operable to generate at least one meta data value for at least one meta data type from said request data, and to retrieve said possible multimedia content items by searching said server for multimedia content items having meta data values corresponding to said at least one generated meta data value" (Column 10, lines 41-57; Figure 4). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to expedite the consumers purchase.

As per claim 13

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1,

Katz ('513) does not explicitly disclose "access processor is operable to compare said request data with meta data stored in said server and to retrieve meta data which corresponds with said request data, and to operate in combination with said communications processor to communicate said retrieved meta data to said buyer data processing systems, said access processor being operable to retrieve multimedia content items corresponding to selected retrieved meta data received from a buyer user data processing system" Alloul et al. ('130) discloses "access processor is operable to compare said request data with meta data stored in said server and to retrieve meta data which corresponds with said request data, and to operate in combination with said communications processor to communicate said retrieved meta data to said buyer data processing systems, said access processor being operable to retrieve multimedia content items corresponding to selected retrieved meta data received from a buyer user data processing system" (Column 10, lines 41-57; Figure 4). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to expedite the consumers purchase.

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As per claim 14

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1,

Katz ('513) does not explicitly disclose "transaction controller includes an account management system operable to store data representative of bank accounts of said buyer and said vendor, and consequent upon receipt of said selection data, to complete said transaction by transferring money to be charged to said bank account of said vendor from the bank account of said buyer, said amount of money being determined in dependence upon said pre-stored cost of buying said selected multimedia content items." Alloul et al. ('130) discloses "transaction controller includes an account management system operable to store data representative of bank accounts of said buyer and said vendor, and consequent upon receipt of said selection data, to complete said transaction by transferring money to be charged to said bank account of said vendor from the bank account of said buyer, said amount of money being determined in dependence upon said pre-stored cost of buying said selected multimedia content items." (Figure 3). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to allow the merchant to realize a profit.

As per claim 15

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1,

Katz ('513) does not explicitly disclose "multimedia material includes one of data, video data, audio data and audio/video data" Alloul et al. ('130) discloses "multimedia material includes one of data, video data, audio data and audio/video data" (Column 4, lines 2-5). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to appeal to a larger consumer base.

As per claim 16

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1,

Katz ('513) does not explicitly disclose "a plurality of data processing systems coupled to said transaction processor via a data communications network" Alloul et al. ('130) discloses "a plurality of data processing systems coupled to said transaction processor via a data communications network" (Figure 3). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to expedite transactions.

As per claim 17

Katz ('513) discloses a multimedia transaction processor as claimed in Claim 1,

Katz ('513) does not explicitly disclose "data communications network includes the Internet" Alloul et al. ('130) discloses "data communications network includes the Internet" (Figure 1). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to expedite transactions.

As per claim 28



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Katz ('513) discloses a computer program providing computer executable instructions,.

Katz ('513) does not explicitly disclose "when loaded onto a computer configures the computer to operate as a multimedia transaction processor as claimed in Claim 1" Alloul et al. ('130) discloses "when loaded onto a computer configures the computer to operate as a multimedia transaction processor as claimed in Claim 1" (Figure 3). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Katz ('513) method with the Alloul et al. ('130) method in order to expedite transactions.

Claims 18, 19, 29, 35, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alloul et al. (US Patent 6,032,130) in view of Katz (US Patent No 6,055,513).

As per claim 18

Alloul et al ('130) discloses a method of vending multimedia material, said method comprising the steps of

identifying said multimedia material to be sold, (Figure 3)

generating metadata describing the content of said multimedia material (Column 5, lines 27-45)

generating data representing a predetermined price for the sale of said multimedia material, (Column 5, lines 11-17)

associating data representative of the owner of said multimedia material, with said multimedia material and said meta data, (Figure 3) (Column 10, lines 41-57)

arranging for said multimedia material, said meta data, said ownership data and said predetermined price for sale to be ingested by a media server of a multimedia transaction processor (figure 3),

providing a facility for said buyers to preview said multimedia material, to select desired items of multimedia material and to complete a transaction for said selected multimedia material items using said transaction account, (Figure 2)

arranging for said vendor to communicate said selected multimedia material items to said buyers. (Figure 2)

Alloul et al. ('130) does not explicitly disclose "arranging for buyers to establish a transaction account" Katz ('513) discloses "arranging for buyers to establish a transaction account" (Figure 6). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Alloul et al. ('130) method with the Katz ('513) method in order to expedite transactions.

As per claim 19

Alloul et al ('130) discloses a method of buying multimedia material using a transaction processor having a media server operable to store multimedia material from at least one vendor, meta data representing the content of the multimedia material and data identifying the vendor providing the multimedia material, said meta data and said identifying data being stored in association with said multimedia material, a communications processor connectable, via a communications link, to one or more data processing systems and operable to receive, via said communications link, from one of said data processing systems data indicative of a request for

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multimedia content from a buyer, an access processor operable to retrieve from said server possible multimedia material content items corresponding to said requested multimedia content by generating meta data from said data requesting said multimedia content and comparing said generated meta data with the meta data stored in association with said multimedia material, and from the comparison retrieving said possible multimedia content items from said server, and to communicate to the buyer data processing system data representative of said possible multimedia content items, and a transaction controller operable, in response to selection data representative of a selection of at least one of said possible multimedia content items from said buyer, to communicate to said vendor identified by said stored identification, data ordering said selected multimedia content items, and to complete a sales transaction for the selected multimedia material with the buyer, said method comprising the steps of

communicating data representative of a request for a desired multimedia material item to said transaction processor via a data communications network,(Figure 3) receiving possible multimedia material items from said transaction processor, - previewing said possible multimedia material items,(Figure 3)

selecting desired multimedia items,(Figure 3)

communicating data representative of said selection to said transaction processor, completing a transaction for the purchase of said selected multimedia material items,(Figure 3)

arranging for the owner of said multimedia material to communicate said selected material items to said buyer.(Figure 3)

Alloul et al. ('130) does not explicitly disclose "establishing an account with the account management system of said multimedia. transaction processor" Katz ('513) discloses "establishing an account with the account management system of said multimedia. transaction processor"(Figure 6). It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Alloul et al. ('130) method with the Katz ('513) method in order to expedite transactions.

As per claim 29

Alloul et al ('130) discloses a computer program providing computer executable instructions,

which when loaded on to a computer causes the computer to perform the method according to Claim 18.(Figure 3)

As per claim 35

Alloul et al ('130) discloses a computer program providing computer executable instructions,

which when loaded on to a computer causes the computer to perform the method according to Claim 19.(Figure 3)

As per claim 39

Alloul et al ('130) discloses a computer program product having a computer readable medium recorded thereon information signals representative of the computer program claimed in Claim 35.(Figure 3)

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Claims 20- 28,36-38,40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alloul et al. (US Patent 6,032,130).

As per claim 20

Alloul et al. ('130) discloses a multimedia transaction processor comprising:  
a media storage server storing a plurality of media items and data representative of one or more respective proprietors of rights relating to each item; a data communications link; one or more user data processing systems connectable via the data link to the media storage server, each user data processing system having means for identifying, to the media server, a user of that data processing system and to communicate request data to the media storage server representative of a request to transfer selected multimedia items stored in said media storage server to the requesting user data processing system, wherein said media storage server is operable, in response to said request data to transfer a multimedia item, to compare the identity of the requesting user with the proprietors of rights relating to the requested media item and, in the event that the user of the data processing system is not the proprietor of rights relating to the requested media item, to generate charging information relating to a charge to that user for transfer of the requested multimedia item.(Figure 3)

As per claim 21

Alloul et al. ('130) discloses a transaction processor as claimed in Claim 20, the multimedia items are audio/video or image media items (Column 4, lines 2-5).

As per claim 22

Alloul et al. ('130) discloses a transaction processor as claimed in Claim 20, wherein said media storage server is operable to maintain a copy of the requested media item at the storage server when a transfer to a user data processing system is made.(Figure 3)

As per claim 23

Alloul et al. ('130) discloses a transaction processor as claimed in Claim 20, wherein the media storage server is operable to transfer the requested media item irrespective of the identity of the user of the client data processing system issuing the request.(Figure 3)

As per claim 24

Alloul et al. ('130) discloses a transaction processor as claimed in Claim 20, wherein said media storage server is operable to store data representing a list of users to which transfers of the media items are authorised, the storage server not transferring a media item to a user if that user does not appear on the list of authorised users for that media item.(Figure 3)

As per claim 25

Alloul et al ('130) discloses a media storage server for storing a plurality of media items and ownership data representative of one or more respective proprietors of rights relating to each item, and charging data representative of the cost of selling said media items;

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said media storage server being connectable via a data communications link to one or more user data processing system, each user data processing system having means for identifying, to the storage server, a user of that data processing system and to communicate request data representative of a request to transfer media items held at the storage server to that user data processing system; said media storage server being operable, in response to a request from a user data processing system to transfer a media item, to compare the identity of the user of that user data processing system with the proprietors of rights relating to the requested media item and, in the event that the user of the data processing system is not the proprietor of rights relating to the requested media item, to generate charging information from said charging data relating to a charge to that user for transfer of the requested media item.(Figure 3)

As per claim 26

Alloul et al ('130) discloses a method of media storage and retrieval, the method comprising the steps of

storing, at a media storage server, a plurality of media items, data representing one or more respective proprietors of rights relating to each item and charging data representative of the cost of selling said media items; connecting a user data processing system to the storage server via a data communications link; the user data processing system identifying, to the storage server, a user of that user data processing system; the user data processing system issuing requests to the storage server to transfer media items held at the storage server to that user data processing system; the media storage server, in response to request data representative of a request for multimedia material from a user data processing system to transfer a media item, comparing the identity of the requesting user data processing system with the proprietors of rights relating to the requested media item and, in the event that the requesting user data processing system is not the proprietor of rights relating to the requested media item, generating charging from the charging data information relating to a charge to that user for transfer of the requested media item.(Figure 3)

As per claim 27

Alloul et al ('130) discloses a method of operation of a media system, the method comprising the steps of:

storing a plurality of media items and data representative of one or more respective proprietors of rights relating to each item; connecting to a user data processing system via a data communications link; receiving from the user data processing system data identifying, to the storage server, the requesting user data processing system; receiving from the requesting user data processing system request data representative of a request to transfer multimedia data items from the media storage server to that user data processing system; in response to a request from a user data processing system to transfer a media item, comparing the identity of the requesting user data processing system with the proprietors of rights relating to the requested media item and, in the event that the requesting user data processing system is not the proprietor of rights relating to the requested media item, generating charging information from said charging data relating to a charge to that user for transfer of the requested media item.(Figure 3)

As per claim 30

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Alloul et al ('130) discloses a computer program providing computer executable instructions,

which when loaded on to a computer causes the computer to perform the method according to Claim 28.(Figure 3)

As per claim 36

Alloul et al ('130) discloses a computer program providing computer executable instructions,

which when loaded on to a computer causes the computer to perform the method according to Claim 269.(Figure 3)

As per claim 37

Alloul et al ('130) discloses a computer program providing computer executable instructions,

which when loaded on to a computer causes the computer to perform the method according to Claim 27.(Figure 3)

As per claim 38

Alloul et al ('130) discloses a computer program product having a computer readable medium recorded thereon information signals representative of the computer program claimed in Claim 29.(Figure 3)

As per claim 40

Alloul et al ('130) discloses a computer program product having a computer readable medium recorded thereon information signals representative of the computer program claimed in Claim 36.(Figure 3)

As per claim 41

Alloul et al ('130) discloses a computer program product having a computer readable medium recorded thereon information signals representative of the computer program claimed in Claim 37.(Figure 3)

### ***Conclusion***

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

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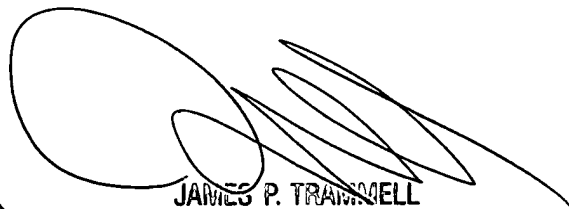
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

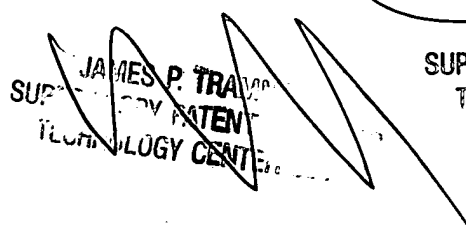
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

November 29, 2004

JMW

  
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